

# The Supreme Court Has To Be Curbed

By

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In its "Black Monday" decision the Supreme Court was evidently more concerned with world opinion, sociological textbooks and professional agitators than in following the precedents set down by former Supreme Courts and our Founding Fathers. The Court based its decision in part on the testimony of certain "modern authorities on psychology," some of whom are Socialists or Communist sympathizers. Chief Justice Warren, who as governor of California was for socialized medicine, cited as leading source of the Court's findings a book on modern psychology written by a Swedish socialist named Dr. Gunnar Myrdal. In the book, "An American Dilemma," Myrdal freely expresses his contempt for the principles on which the U.S. was founded. Myrdal stated that the Constitution of the U.S. was "impractical and unsuited to modern conditions," and that its adoption was "nearly a plot against the common people." Thus an alien who ridicules the American form of government is cited by the Supreme Court of the U.S. as one of its authorities for its desegregation decision!

During the prohibition monstrosity, millions of Americans voted dry and drank wet. The 18th Amendment failed because it could not be enforced. It couldn't be enforced because a majority of the people didn't really want it enforced. The people voted it in and the people voted it out—a majority of the people in three-fourths of the states. The great majority of the people—including many who piously plead from beneath their halos that all men are created equal—don't practice integration. They just preach it, for others. Many white integration eager-beavers either live in a state where there are a few negroes or are able to buy their own segregation in private schools and clubs and in their cloistered lives.

## The People Are Supreme

The Constitution says: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people." All rights not specifically granted to the Federal Government are reserved to the states and to the people. And the Constitution doesn't mention education.

Our representative form of government is in danger when either the executive or the judicial branch can re-write the Constitution to suit "the trend of the times" without being checked by the same sovereign states which gave limited power in the first place to the central government. It's up to the Southern States to lead the way in forcing the Supreme Court to again reverse itself. I say again, because less than three years ago the Supreme Court ruled that "separate but equal" was constitutional. Has the Constitution changed, or just the Court? Did the Court interpret the Constitution, or amend it? The integrationists have won two decisions in the present Supreme Court. Segregationists have won many decisions from better, unpacked courts which have not been brain-washed in left-wing ideologies. For 86 years after the 14th Amendment became law the Supreme Court, Federal and state courts, Congress, the presidents, governors and state legislatures all evidently figured that the Constitution gave each state the right to control its own public schools.

Maybe the South's most effective weapon is "interposition" (the left-handed theory that since it takes a three-fourths majority of states to amend the Constitution, that 13 states should be able to prevent the Supreme Court ruling from being carried out). Or, the answer may lie in converting the white public schools of the South into private schools. Force and violence and hate are certainly not the answer. The Constitutional way, the American way, Freedom's way, is for the states which want to in-

tegrate to do it. And for those who don't want to, to be free to handle their own domestic affairs. Final power in a free nation belongs to the people.

## Where Does It End?

Negroes, according to the second "Black Monday" decision of the Court on March 5, must not be barred on account of race from any tax-supported school of college. Would not a logical succeeding conclusion of the Court be that tax-exempt schools must accept Negroes on the same basis as whites? Most private schools are non-profit, endowed institutions and as such are exempt from most taxes. Or, to put it another way, they are in effect tax-supported. If the Court should rule that private schools and colleges integrate or pay the same taxes profit-making institutions pay, most private schools would have this choice: do it or go broke!

This is just the beginning—unless we find legal ways to stop it. After the pressure groups, do-gooders, hate peddlers, Commu-

nists, and unscrupulous politicians integrate all schools and colleges public and private, next assaults will be on businesses, private clubs, fraternities, 4-H clubs, FFA, and Boy Scouts. That leaves the home.

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# PETITION FOR THE IMPEACHMENT OF Felix Frankfurter

This petition was prepared by the late Henry H. Klein, New York Attorney and publisher, on June 11, 1949.

## To the JUDICIARY COMMITTEE OF THE HOUSE OF REPRESENTATIVES GENTLEMEN:

I hereby accuse Felix Frankfurter as associate Justice of the United States Supreme Court, of pernicious political activity, perversion of Justice and attempted subversion of the Republic and demand his impeachment.

## SPECIFICATIONS

1. He wrongfully caused the indictment and prosecution on false charges, of native Americans and others, under Title 18 U. S. Criminal Code. The law was enacted at the request of the heads of the U.S. Army and Navy, to enable these units to prosecute communists who were undermining the morale of our armed forces. Instead of prosecuting these said offenders, said Frankfurter caused the Department of Justice to prosecute native Americans and anti-communists who were exposing the subversive activities of communists.

2. He secured the appointment to high office of many persons of communistic, socialistic and fascistic leanings and affiliations and he guided and advised these persons in their efforts to change our government from a constitutional republic to a communistic, socialistic or corporative (fascistic) state, as an integral part of a world government, in accordance with the Rockefeller-Protocol plan for world domination and control.

3. He served and serves as the spearhead of a movement to change the United States from a prosperous constitutional republic to an impoverished part of a tyrannous and bankrupt world state.

4. As the controlling influence in government since 1932, he is responsible for many laws, directives, orders and rules that operate to oppress and injure the people and for many of the illegal acts committed by the late President Franklin D. Roosevelt.

5. He is largely responsible for the deception and fraud practiced on the people during the year 1944, as to the President's physical and mental condition.

6. As controlling factor in government since 1932, he and his agents created scores of government owned corporations through

which they control the prices of commodities and other essential products, against the people.

7. He secured the appointment of hundreds of friends, disciples and followers to key positions in the federal government and created a personal Frankfurter bureaucracy, to the injury of the republic.

8. He is responsible through his disciples and agents for the mal-administration and mis-management of various federal departments, bureaus, agencies and public corporations, to the injury of the people.

9. He is in league with other persons to obliterate our constitutional system of government and economics and to substitute the systems of Great Britain and Russia, or to produce political and economic chaos.

10. He is responsible for the Nuremberg trials on ex post facto charges, in violation of law.

11. He is responsible for many persons in high federal office who were and are members of the American Civil Liberties Union which specialize in defending communists, and other radicals.

12. He aided in gagging Tyler Kent, the young code clerk, who is under legal restraint not to reveal the correspondence between Roosevelt and Churchill disclosing their plan to rule the world.

13. He is responsible for Alger Hiss and for the latter's promotion and protection in the federal service.

14. He is disqualified from serving as Justice in the United States Supreme Court, because of all these said acts and facts, and because he is not able to render impartial justice in matters affecting laws, directives, orders and rules drafted by himself and his agents and put into effect through their efforts and because he does not realize that verbiage in an opinion is not substitute for justice.

15. He damaged the prestige and offended the dignity of the U. S. Supreme Court when he appeared as a voluntary witness at the first trial of Alger Hiss and testified that the defendant was of good character.

For all said reasons, said Frankfurter is not a fit proper or qualified person to serve as Associate Justice in the United States Supreme Court and his removal is hereby demanded.

Respectfully submitted

Henry H. Klein